

BINGHAM

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Via ECF

Judge Richard M. Berman
Daniel Patrick Moynihan Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: Lehman Brothers Holdings Inc. v. United States, No. 10-6200

Dear Judge Berman:

We are writing to reschedule the October 3rd status conference that was cancelled due to the lapse of funding for the Federal government. The parties intend to make progress on their continuing settlement discussions this week, and we may be in a position to report at the next conference an alternative approach to resolving the case that we believe would be acceptable to the Court based on its prior guidance. We, therefore, propose to reschedule the status conference for either the morning of October 31 or the afternoon of November 4. If neither of these proposed times is convenient for the Court, the parties respectfully propose that they will contact Your Honor's Chambers to find another time that is convenient to the Court and all parties.

Respectfully,

/s/ Kiara L. Rankin

Kiara L. Rankin
Counsel for Plaintiff

cc: Jean-David Barnea, Counsel for the Government
James Nicholas Boeving, Counsel for the Government
Amy Barcelo, Counsel for the Government
Stacey J. Rappaport, Counsel for the Committee

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